

Scott Sedore #210661 | L E Case No. 4:19-CV-10311
 vs. DEC 21 2023 Hon. Sean F. Cox

CLERK'S OFFICE
DETROIT

Sherman Campbell, et al.,

Maj. David R. Grand

"Motion" to Enforce Term's of Settlement Agreement - MDOC Defendant's

now comes Plaintiff, Scott Sedore #210661, before this Honorable court with Great disappointment and Deep regret. I ask this court to Intervene and "Order" MDOC defendant's to Honor the Settlement Agreement in the Above referenced case No. in a "Timely" manner, I am also requesting an In-person or Video-Conference Hearing on this matter, so I can more clearly delineate my argument's before this Honorable Court.

In the instant fact's of this motion - defendant's ("MDOC") have blatantly decided to drag their feet in Honoring this settlement and fulfill there obligation and Duty to Plaintiff and this Honorable court. Therefore, Plaintiff had no alternative at this point, but to petition this court to intervene and "Order" MDOC defendant's to honor the settlement that they entered into with me, when they signed the "General Release from Liability" on or about february 3, 2020, (sub-section #1(c))! Although it explicitly state's "Air Mattress" in the Settlement Agreement, plaintiff has not received any Air mattress in a couple year's. I have been receiving a "Medical Mattress" in place of an Air-Mattress since that time, I am seeking a new medical mattress at this point, not an Air Mattress. I am entitled to a new medical mattress, there is no Air Mattress of Adequate, sufficient quality that will meet plaintiff's serious medical need's. That was established when I switched to a medical mattress.

This is not the 1st time that Plaintiff has asked this court to intervene and enforce the term's of the Settlement agreement in this Lawsuit settlement, MDOC defendant's have customs, policies, practices in place to blatantly drag there feet in Honoring and fulfilling there obligation in a "Timely" manner when the fact's warrant, demand, mandate, and require it. As a direct result, Plaintiff is entitled to "Relief" from this Honorable Court. Plaintiff

Is the one left to suffer 24/7 when the MDOC decides to "Take it's Time" in doing the right thing by plaintiff. I'm the one left to suffer, and defendant's do not seem to care one bit. As a result, Plaintiff is left with massive chronic pain, lost sleep, lost piece of mind, I am being crippled by this mattress, even more than I already am. I cannot hardly get out of my bed in the morning or through out each day, and night. I feel like a piece of me is dying everyday that the current issue continue's, my failing mattress Exacerbates and Contributes to a violation of the 8th Amendment, The "AOA" and "RA". Those involved are also guilty of violating there "Hippo-Cratic Oath". They are well aware that as a result of the delay in honoring the term's of this Settlement - that they are causing me harm and suffering, Physically, Emotionally, mentally.

The Last time I petitioned this Honorable court, approximately a couple year's ago - to enforce the term's of the settlement Agreement - it related to defendant's dragging there feet in supplying me with a replacement, effective, Adequate "Air Mattress". In the MDOC's response to that motion, was that they were going to discontinue use of the Air mattress and switch, furnish Plaintiff w/ a new, improved "Medical Mattress". This court supported that move, and encouraged myself and the MDOC parties to "work together" to resolve this matter. Plaintiff has made every reasonable attempt to work with defendant's to resolve this matter. Plaintiff has been more than patient and reasonable in this matter. That is all Plaintiff is required to do. I've been Lied to, on numerous occassion's. The time to be reasonable has now passed, now I must Ask this Court to Intervene Again, let my voice be heard, and "order" the defendant's to provide me with a "new" medical mattress in a "Timely" manner. I'm suffering Agonizing pain 24/7

because of current "Failing" medical mattress. Plaintiff no longer receives an "Air Mattress". Despite defendant's never changing my (SAN)-special Accommodation Notice - defendant's have agreed and have a "Duty" that is enforceable by this court to provide me with a new medical mattress that is Adequate, effective and meets my "ongoing" medical need's. I have not received an Air Mattress in several years, when I last petitioned this

court to enforce the term's of the Settlement Agreement About the Air mattresses. I am not asking the court to order defendant's to provide an Air mattress, unless it is a Heavy-Duty, Hospital Grade "Stryker" Air mattress that will meet my need's, I would much rather have a "new", effective medical mattress, I received my current medical mattress on or about April 24, 2023. my current mattress is well beyond the point of failure. It is no thicker than 2" where I lay my hip's & butt. It feels like I am laying directly on the concrete floor, I have received a medical mattress 4-times. Each time the mattress fail's within 6-7 month's of receiving it, probably due to the fact that plaintiff is almost completely bedridden now, I am in my bed approximately 20-22 hours per day due to "ongoing" pain and Orthopedic injuries, I cannot meet my daily living need's now, I require the Assistance of an "Aide" 24/7.

Defendant's replaced prior failing mattress within a month or so. Currently I have been trying to get a replacement medical mattress for about "3 month's", since around mid- September, 2023. I have made every attempt to receive a new, replacement medical mattress from the MDCC in a "Timely" manner, That has not happened yet.

Since on or around 9/11/2023, plaintiff has made the following attempt's to resolve this matter, and receive a "New" Medical Mattress.

- ① 9/11/2023 - During a "Video Conference" w/michigan Assistant Attorney General - mr Allan Soros (P43702), plaintiff told mr Soros of his need for a "New" replacement medical mattress. Mr Soros is the person that Plaintiff must contact / notify when he need's his mattress replaced.
- ② 9/26/2023 - I sent a letter to Mr Soros, Via U.S. mail, officially letting it be made known, in writing, of my need for a new replacement medical mattress.
- ③ 10/3/2023 - I sent another letter to Mr Soros, Via U.S. mail, again letting it be made known, my need for a new replacement mattress.

(4) 10/5/2023 - Health unit manager ("JCF") - Sirena Landfair (RN), and Joshua Buskirk (PA) - MDOC central office, Bureau of Healthcare Services Administration, Lansing. They came to my Housing unit @ "JCF" took pictures of my medical mattress, spoke extensively with myself, and my assigned "Aide", Khalil Chahine # 534769 - and assured me prior to leaving that a new, better medical mattress would be on its way to me in the very near future. That has not happened in anyway or form, when they left my housing unit on 10/5/2023 - there was no question or dispute that I needed a new medical mattress immediately,

(5) 10/19/2023 - "Tele-Conference" w/mr Allan Soros. This was specifically about my need for a New medical mattress. Mr Soros assured me that Dr James Blessman, Joshua Buskirk (PA) were working to provide me with a new - better, medical mattress in the very near future.

- when we spoke on 10/19/2023, mr Soros let me know that he had indeed received both my letter's that I sent him on 9/26/23, 10/3/23.

(6) 11/5/2023 - I sent another letter to mr Allan J. Soros. In this letter, I asked mr Soros to respond and tell me the status of my receiving my new mattress? I asked mr Soros to respond in a "Timely" manner, mr Soros did not respond at all.

(7) 11/18/2023 - I sent a kite to "JCF" Health unit manager - Sirena Landfair (RN), asking her to please contact Joshua Buskirk (PA), Dr James Blessman (ACMO), and other's to find out when I will receive my new medical mattress? I stressed, delineated to MS. Landfair and other's how my current mattress was ~~█~~ Exacerbating my ongoing chronic pain issue's,

(8) 11/19/2023 - I wrote a lengthy letter to Joshua Buskirk (PA), at Lansing Central office, Bureau of Healthcare Services. I explicitly delineated how the delay in my receiving a new medical mattress was Exacerbating my "ongoing" orthopedic issue's and chronic pain in my Back, hips, legs, knee's, etc..

⑨ 11/19/2023 - I wrote a lengthy letter to MoOC - Assistant Chief Medical Officer (ACMO) - Dr James Blessman, at Lansing - Central Office, Bureau of Healthcare Services. Dr Blessman handles medical mattresses matter's. I explicitly delineated in my letter, how the delay in my receiving a new medical mattress is Exacerbating my "ongoing" orthopedic issue's, and contributing to an increase in my chronic pain related to my back, hip's, leg's, knee's, etc...

⑩ 11/24/2023 - I wrote a lengthy letter to Assistant Attorney General - Mr Allan J. Soros, pleading w/ Mr Soros to contact all parties involved in this matter, and find out what the delay is in me receiving my "New" mattress? I told Mr Soros how this matter was causing extensive physical, emotional, mental harm to me. I also told Mr Soros that I would be asking the assistance of the U.S. District Court to resolve this matter, if I did not receive any response from him on or before 12/13/2023.

⑪ 12/3/2023 - kite to "JCF" Health unit manager - Sirena Landfair (RN), again letting it be known how the delay is harming me, I asked her again to contact the people involved, no response!

* I am asking this Honorable Court to not only Intervene, but to also "Schedule" an In-person or video conference Hearing about this matter w/ all those involved.

- I swear under Penalty of Perjury that Any/All statements are the truth.

Scott Sedore #210661

(12/13/2023) ("JCF")
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Scott Sedore #210661

Case No. 4:19-cv-10311

vs.

Sherman Campbell, et al.,

Hon. Sean F. Cox

Judge David R. Grand

"Certificate of Service"

I swear under Penalty of Perjury that I sent a Copy of Plaintiff's "motion" to Enforce the Terms of Settlement with MDOC Defendant's, to all those involved. I sent this Via U.S. Mail, on the date that I signed this at the bottom of this page. I sent a copy to the following:

① U.S. District Court
Attn: Clerk of the Court
231 West Lafayette Boulevard
Detroit, Michigan
48226

② Assistant Attorney General
Attn: Allan J. Soros (P43702)
P.O. Box 30217
Lansing, Michigan
48909

Plaintiff's Address:

Scott Sedore #210661
G. Robert Cotton Correctional Facility
3500 North Elm Road
Jackson, Michigan
49201

Respectfully Submitted,
printed name: Scott Sedore #210661
signed name: Scott Sedore #210661

date: 12/13/2023

NAME: Scott Seefelder #21066L
Number: G, Robert Cotton Correctional facility
Address: 3500 North Elm Road
Address: Jackson, Michigan
49201

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* USA * FOREVER *

U.S. District Court

Attn:

Clerk of the Court

231 West Lafayette Boulevard
Detroit, Michigan

48226

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